

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

VIRDA BELL BULLARD, *et al.*;

Plaintiffs,

VS.

**BURLINGTON NORTHERN SANTA FE
RAILWAY COMPANY, KOPPERS
INDUSTRIES, INC., MONSANTO
COMPANY, DOW CHEMICAL
COMPANY, AND VULCAN
MATERIALS COMPANY;**

Defendants.

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CASE NO. 07-C-6883

Judge Kennelly

Magistrate Judge Ashman

MOTION TO STRIKE AND OBJECTIONS TO DEFENDANTS' EXHIBITS

Plaintiffs, VIRDA BELL BULLARD, et al., submit the following objections and motion to strike regarding Exhibits to Defendants' Reply in Support of Motion to Transfer.

1. Under Federal Rules of Evidence 803, the following portions of Defendants' Exhibits constitute inadmissible hearsay:

- a. Exhibit B, Defendants' Reply, Affidavit of Michael J. Mancione, ¶¶10, 11;
- b. Exhibit C, Defendants' Reply, Declaration of John M. Floyd, lines 7 through 11;
- c. Exhibit D, Defendants' Reply, Affidavit of Robert G. Kaley, II, ¶4;
- d. Exhibit E, Defendants' Reply, Declaration of Ellen Burchfield, Pars. ¶¶ 2, 3, 4;

WHEREFORE, for the foregoing reasons this Court should strike the Exhibits identified

above for any further, other, or different relief to which Plaintiffs are entitled this court deems reasonable, appropriate, and just.

Respectfully submitted,

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